UNITY

FREEDOM, FELLOWSHIP AND CHARACTER IN RELIGION

THE NEW SOVIET CONSTITUTION
By David Jobman

Patriotism and Religion - *Louis L. Mann*

The Book or the Banner? - - - - - - - - - *Elaine Goodale Eastman*

The State and Civil Liberties - - - - - - - - - *John Haynes Holmes*

What Americanism Ought to Mean
A Poem by Robert Whitaker

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Contents

EDITORIAL—

Notes 167

ARTICLES—

The New Soviet Constitution—DAVID JOBMAN 171

Patriotism and Religion—LOUIS L. MANN 176

The Book or the Banner?—ELAINE GOODALE EASTMAN 177

The State and Civil Liberties—JOHN HAYNES HOLMES 178

POETRY—

Theodore Parker (On the 100th Anniversary Year of His Ordination to the Ministry, June 20, 1937)—ALICE MARSTON SEAMAN 167

What Americanism Ought to Mean—ROBERT WHITAKER 170

CORRESPONDENCE—

The New Indian Constitution—L. N. GUBIL SUNDARESAN 180

THE FIELD—

Those We Honor—DR. HARRY GRANISON HILL 166

The Field

"The world is my country, to do good is my Religion."

Those We Honor*

Memorial Day became a holiday shortly after the Civil War and naturally gave attention to memorializing the military heroes. Some of my most vivid boyhood memories are connected with those patriotic pageants when the village band led a file of ex-soldiers and citizens to the cemetery where a male quartet composed mainly of war veterans assisted some public official or prominent politician in a program which excited the emotions and often indulged in the expression of some sectional prejudices. The occasion was wholly martial. I do not recall a single note or episode which called attention to civil services or peaceful patriotism, or any possible honor or heroism outside of war and its glorious and romantic opportunities to display valor and bravery.

Naturally my youthful ambition was stirred to the highest pitch and I dreamed of growing up to be a soldier. Without reasoning or serious thinking, it was directly apparent that if one wanted praise and honor, if one sought to perpetuate his own memory, or receive the plaudits of his contemporaries or his posterity he could achieve all these best by being a warrior and fighting for his country.

Today I very much doubt if any —old or young—escaped these same impressions. It was generally accepted that honors and fame and lasting contributions to one's native country were closely affiliated with war and did not exist in any other field of effect.

But times have changed. We have tasted the bitterness of a world conflict and at least some of us have become disillusioned. We do not hesitate to honor those who died on battlefields, but we now know that they died in vain. We recognize that war never settles any question. We realize that war solves no problems. We perceive that war is never constructive. We sadly acknowledge

*Address given on Sunday, May 30, 1937, in Walnut Hills Cemetery, Cincinnati, Ohio, by Dr. Harry Granison Hill, under auspices of Peace Heroes Memorial Society.

(*Continued on page* 179)

UNITY

"He Hath Made of One All Nations of Men"

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THEODORE PARKER

(On the 100th Anniversary Year of His Ordination to the Ministry, June 20, 1937)

His dream was far beyond those troubled years
That saw a nation in the throes of strife;
Loving all men, he shared their hopes and fears,
And to their cause gave all too short a life.

He dared assail the evil of his day
With courage born of Justice. He could see
A world where lust of war was wiped away,
Where minds and bodies fettered would be free.

Prophets shall pass; old systems change and go;
Old Ninevehs shall fall, but there shall rise
Higher, with every age, through pain and woe,
A people with his vision in their eyes.

Because he lived, and labored for the Right,
Men seek today to catch his torch's gleam
That we go questing on some nobler height
To planes he fashioned in his deathless dream.

ALICE MARSTON SEAMAN.

THE FOURTH OF JULY

Pride, vainglory, braggadocio, contemptible pharisaism, patriotism of the materialistic and aggressive type, all these enter into the celebration of America's birthday. It is an annual excuse for the big army and navy people to "strut their stuff," and thus to betray a national tradition which is essentially one of peace. As for the noise and confusion, the fireworks and firearms, the automobile slaughter, the less said the better. There is a barbarism in this holiday which may well tempt one to despair of the future of a people which can be guilty of such things. But there is also a deeper and truer reality in the Fourth of July, which cannot be destroyed and must not be ignored. This is a day which belongs not merely to a nation but to the world—an event as significant to mankind as the birth of Christianity, the advent of the Reformation, or the daybreak of the French Revolution. In America, on that natal day, was begun the greatest experiment in democracy that humanity has ever known. Here came into being a new nation, in a new and unspoiled continent, solemnly "dedicated to the proposition that all men are created equal." This country was trammeled by no outworn or dead traditions, beset by no superstitions of blood or breed, free of all strangling entanglements with the feudal past. It had peoples drawn from all classes of society, from many Christian creeds, and from various European countries and cultures, and was destined to draw other peoples from all quarters of the globe. It was not so much a nation as an internation, and thus a prophecy of world-wide liberty and peace. For a hundred and fifty and more years, America has grown and expanded and become enriched. The land has in various ways been corrupted and spoiled. But still the ideal burns like a flame before our people's gaze, and in all essentials the basis of human rights remains. The experiment of freedom has not failed, though at this hour it stands in greater jeopardy than at any previous period in history. There is disaster without our borders, and struggle within. Violence and tyranny are rampant, and cruelty, prejudice, and hate the new law of nations. America in this hour is being tested, and on this natal day must pledge itself anew to the high mission of its birth. This is no time for idle and complacent celebration. Rather is it a time for dedication and sacrifice anew, that "government of the people, by the people, and for the people, shall not perish from the earth."

COMMENCEMENTS!

The end of the college commencements brings a sense of relief comparable only to that which follows the end of a session of Congress or of a D. A. R. convention. One is impressed primarily by the futility of it all. Such pomp and circumstance, such proud display of academic millinery, such boasting of honors and degrees, such endless speeches! It is of these speeches that one is tempted to think first and last—made by able and sincere men, and yet adding what feeble light to our path through darkness! Walter Lippman was bold enough to testify that he had graduated in 1910, and could remember not a thing that was said by anybody, nor even who it was who said the forgotten words of wisdom. There were some utterances this past June which were important—we recall particularly a noble address by Dorothy Thompson at Syracuse University. But the overwhelming mass were the familiar platitudes, as sterile of thought

as a desert of grass. In the face of such an exhibition as this, we wonder why it is that the university escapes the censure and ridicule which have long since been visited upon the church in like circumstance. For years, now, the gorgeous rites and ceremonies of religion have been contrasted with its poverty of thought. The Monday morning sermon page of the newspapers has been endlessly held up to contempt—as though this page were at all representative of the best preachers, or even so did not outmatch the pages and pages of commencement stuff recently inflicted upon us! Churchmen have become a kind of stereotype for conventionality, pomposity and hypocrisy. Yet there is more progressive spirit in the churches today, more vigorous and creative thinking on live issues, more heroic consecration to enlightened public service, than in any other established institution in this country. The colleges have uncounted millions of dollars at their disposal, they have the accredited learning of the age upon their faculties, they have prestige, power, influence—yet when the big parade comes each year, they make an exhibition which is pitiful. And they get away with it! Is this because it is in this period of time "the thing" to be on the side of the secular, as in the Middle Ages it was "the thing" to be on the side of the sacred? If so, we shall soon find, if we have not already found, that a secular education has no answer to our problems, and that religion, with its emphasis upon the ethical and spiritual, may yet have to be revived and followed.

STRIKES!

It seems now to be the popular thing to say that these disastrous strikes in the middle west are not strikes at all but *war*—civil war, or rather class war. In so far as this word "war" is meant to imply contention, fighting, bloodshed, force and violence, it is not inaccurate; but in so far as it is intended to convey the idea that we have come to a new and more terrible stage not known before in labor history in this country, it is entirely untrue. The one way to keep sane and sensible in this present period of gross and shameful disorder, is to remember that, in so far as the strikes themselves are concerned, we are encountering nothing new. We have been through all this before—which only makes it the more disgraceful that we should have to go through it all again! Is it possible that we have forgotten Homestead, the Pullman strike, the Colorado Coal and Iron tragedy, the great coal strike of the Theodore Roosevelt days, and the abortive steel strike of a decade and a half ago? Nothing yet has happened under the C. I. O. any worse than what has long since happened, alas, under other auspices. What *is* new, and appalling, and important, is the fact that this wave of strikes today is sweeping great sections of the country under the operations of the Wagner Labor Relations Act. This Act, we may remember, was to end all strikes. Now, within a few months of its passing, we find it fostering the worst epidemic of strikes the nation has known in many years. It does no good to assess blame in this instance—we find plenty of it to distribute generously to all parties in the fracas! The important thing is to understand the situation itself and the issues involved. *First,* the workers, exactly like the employers, have the right, both legal and moral, to organize in their own interest. To deny or to interfere with this right is to revert to slavery. *Secondly,* the day of trade unions has come. It is here, and it is here to stay. To refuse to recognize or to deal with trade unions is to imitate Mrs. Partington's attempt to sweep back the Atlantic Ocean. *Thirdly,* the industrial world must be placed under law, as in England—impartial, inclusive, democratic law. This is what the Wagner Act attempted to do, and has failed to do. The rewriting of this Act should be the next order of business in the Congressional calendar. *Lastly,* government must know how to enforce and maintain public order.

THE MYSTERY—AND HORROR—OF RUSSIA!

The slaughter of Russian leaders still goes on. Eight Soviet generals, high in the counsels of the Red Army—one of them, Marshal Mikhail N. Tukhachevsky, the idol of the soldiers and the masses, and long hailed as the most brilliant strategist in Russia—have been tried and shot, and their crumpled and bloody bodies added gruesomely to the heap of corpses which has been piling up in Moscow in recent months. Added to these are twenty-eight high railroad officials shot in Siberia. In these cases there were no open trials, no public statements of confession and guilt, such as were cited in justification of the earlier massacres of the political leaders. The whole condemnation was in secret, and we have no evidence of treason except the mere charge of the executioners. Such "justice" makes us tremble in sheer horror and outrage. As to what it all means, who can say? We only know that we face two possibilities—either that all these men, civil and military, were innocent, or else they were all guilty. (1) In the former case, we have in Stalin, who holds and exercises supreme power, a ruler who is either sick with terror, or mad with lust and cruelty. There is evidence that Stalin has been "jittery" ever since the assassination of Kirov; early in his life there were indications of dreadful ferocity. On this supposition, Stalin is today either a frightened Nicholas II or a monstrous Ivan the Terrible. (2) But there is an alternative possibility—that all these executed men were guilty, as charged, of selling out Russia to the enemy. If this be so—and this, of course, is Stalin's case!—then what are we to think of Russian morale and morality? What kind of men does Bolshevism breed, that even the greatest among them cannot be trusted? Is this the practical outcome of Communist ethics and Communist irreligion—that in Communism there exists not even

the honor that prevails among thieves? What a confession of demoralization and wickedness! Why should any Communist anywhere be any more believed, if such men as these have failed? We can understand an occasional Benedict Arnold, but not such wholesale treason as this. The conclusion, therefore, either way, is terrible. We may never in our time know where lies the truth. But this we know—that the whole Russian experiment stands shaken to its very foundations.

BOLSHEVISM AND PERSONAL RESPONSIBILITY

We cannot leave the question of these Russian executions without noting a deeper and more fundamental mystery involved. We refer to the philosophical attitude toward the guilty men which is supposed to be so different in Bolshevist society from what it is in ordinary bourgeois society. Stalin insists that Tukhachevsky and the other great generals now dead, to say nothing of the Siberian railroad officials duly shot, were all traitors to the Soviet state. Let us agree, for the sake of the argument at this point, that this charge is true. Under our middle class, Christian system of ethics, which emphasizes freedom of the will and thus recognizes moral responsibility, we would be inevitably outraged by such treason, and denounce the offending officials for their crime. But in this we could not outdo the Russian Bolshevists, for ever since the trial and execution of these men was made known, Moscow has been pouring out upon their diminished heads a veritable flood of wrath. The government has blamed them for betraying the state. The Communist press has called them rogues and scoundrels and degenerates. School children throughout the land have decried the evil they have done. But how does all this fit into the Bolshevist philosophy? Under this philosophy, materialistic and atheistic to the core, man is not free! The moral motives of personality do not enter as a causal factor into any human situation! What we do we do because we are economically determined! The actions of each individual, like the vast trends of social development, the conduct of a man as well as the history of a nation, are all under the complete control of the materialistic forces of our social economy! A human being does not what he wants or chooses to do, but only what he *has* to do under the impact of the economic factors of his time and place! These generals and railroad officials—they are not to be blamed in moral terms! For they were not free agents, and therefore not subject in any way to moral responsibility! This whole business of morality—right and wrong, good and bad, and all that—it's nothing but a bourgeois superstition! Yet here are our Communist friends acting exactly as moralists and Christians have acted for thousands of years! It's all very mysterious—and, to our way of thinking, ridiculously inconsistent. We can understand the Communists killing Tukhackevsky and the rest as rats are killed—for purposes of safety. But we can't understand their becoming morally indignant, and blaming these men spiritually for what they are said to have done. Good Communists should be above such tantrums. *But they're not!*

THE LARGEST CHURCH CONGREGATION IN NEW YORK

It is commonly believed that the largest congregation in New York is Dr. Fosdick's at Riverside Church. This is not true! Dr. Fosdick has an immense audience, but Dr. Emmet Fox (did you ever hear of him?) has an immenser one. For some years Dr. Fox assembled his Church of the Healing Christ in hotel parlors. He finally came to occupy the largest hotel assembly hall in the city. Now he has removed to the New York Hippodrome, the largest auditorium in New York with the single exception of Madison Square Garden. The seating capacity of this auditorium is perhaps twice as great as that of Riverside Church, and it is filled with eager worshippers every Sunday. We passed the doors on a certain Sunday morning at 10 A. M., and the sidewalks were blocked as though by a prize-fight crowd. What kind of a religion is preached to these people? So far as we can make out, Dr. Fox represents some phase or other of the Troward movement. The analogues of his teaching are New Thought, Theosophy, and similar sects. The basis of his ideas is of course the Bible—the use of the Scriptures in the most traditional and superstitious sense, with much talk of Messiahs and Second Comings and Divine Prophecies and all the rest. Then comes his gospel—the assurance of "health, happiness, and harmony" to those who come near to God. The emphasis is constantly upon the individual and all the desires of the individual for prosperity, good health, and that easy optimism which finds everything all right because we wish it so. In the practices of this cult, the world is completely forgotten, or ignored. No mention is ever made of the ills that now beset mankind, no solution ever offered of the problems that now vex the best minds of the race. The Hippodrome on each Sunday morning offers what uncounted thousands of people most passionately want—a way of escape from reality. These people are ignorant and shallow; they are utterly selfish in their desire for personal security and happiness; they are completely materialistic in their evaluation of religion in terms of money and physical condition and easy pleasure; and they are badly frightened in the midst of disasters they do not understand and would avoid. Dr. Fox asks nothing of these people, and promises them everything. He exacts no sacrifice, voices no challenge, imposes no moral judgments. He simply says, forget things, be happy, trust in God. Anything more superficial and inane than this kind of teaching it is impossible to imagine. That there are millions to lap it up as an alley cat laps up skimmed milk is a measure of the moronic mental qualities of the city multitudes.

Especially in times like these do the "escape" cults multiply. Rome was swarming with them in the days of the decline and fall of the Empire. The number of them today is one of the most disquieting signs of the times.

"SENTIMENTAL TOMMY"!

The New York *Times,* referring to the recent death of the beloved JAMES MATTHEW BARRIE, said "there are no trustworthy statistics on the prospects of immortality, but *Peter Pan* looks like a good risk." We agree; *Peter Pan* is destined to an immortality as sure as *Alice In Wonderland.* And with *Peter Pan* in the eternities will be found, we surmise, at least one other play, *The Admirable Crichton,* the author's unforgettable biographical sketch of his mother, *Margaret Ogilvy,* and possibly some one of the novels, perhaps the most popular of them all, *The Little Minister.* Barrie was his own genuis; he wrote right out of his heart, and there was nobody like him. He had an inexhaustible tenderness for people, which deepened at times into profound understanding. His resources of fantasy and "whimsey" were boundless, and his humor, which had an unfailing undercurrent of wisdom, never ran dry. Occasional satire touched his writings, but it was always kindly and never left a wound. Of all great writers of our time, Barrie was the most human. He unsealed with sure skill the founts of emotion, and in hundreds of his pages one passed constantly, like an April day, from laughter to tears, and back again. A perfect example of his command of the heart is found in his famous St. Andrew's rectorial address, on "Courage." Of course the sophisticates and highbrows sniffed at Barrie for his "sentimentality," which they scorned as a mere Victorian inheritance. But Barrie himself met the attack head on, and answered it forever in his autobiographical novel, *Sentimental Tommy.* There have undoubtedly been greater writers than Barrie, but none truer to the heart of things. It should be remembered that he came out of Scotland, to which his body was returned for burial and memorial. If we would measure his true stature as an artist and a man, what better thing can we do than read the roll of the literary geniuses of that fecund land, and ask what name of them all may more fittingly follow on after those of Walter Scott and Robert Burns?

What Americanism Ought to Mean

All that it meant to be of Babylon
  When Khamurabi gave that curious code
  Whence judgment like a mighty river flowed
Till earth's first-born millenniums were gone;
All that it meant to be of Hebrew blood
  When Abram journeyed westward with the sun,
  When Moses talked with the Almighty One,
When David's kingdom at its zenith stood;
Or to be one of Homer's singing race,
  Comrade with Sappho and with Sophocles,
  To be of Athens with Demosthenes,
With Socrates and Plato to have place;
Or to be Roman in the Gracchi's days,
  Or when great Caesar wrought his fame in Gaul,
  Roman with Virgil, Horace, Juvenal,
Or with Aurelius of immortal praise;
All it has ever meant to any soul
  To be of any land, in any age,
  Since man of man's achievement penned a page,
Since ever name of hero marked a scroll;
Teuton, or Frank or Briton at their best
  Through all the ages since the Caesars passed;
  Should not their total glory be out-classed
By him who on the last heights of the west
Is heir of all the largess of the earth?
  Heir of all decalogues of God or man,
  All art and song since art and song began?
All science, all philosophy, all mirth?
Did they dream less who swarmed across the seas
  Bearing the burden of a world's desire,
  Touched with the flame of every sacred fire
From all the summits of the centuries?
They who, more rugged than the wilderness,
  With steps ensanguined urged their firm advance
  The compass of a continent's expanse,
And stirred all nations with their vast success?
Did they dream less who threw off Britain's weight,
  Wrestled with kings and flung them on the sand,
  Withstood, at home, rebellion's lifted hand,
Borne higher on each battling breeze of fate?
How shall the travail of the Old World fail
  To find its fit fulfillment in the New?
  Or this strong training we have weathered through
For less than worthy victory avail?
Grant that the fruit is not full ripened yet,
  That some will fall in premature decay,
  Some by the tender's hand be pruned away,
And some be cast aside; shall not the net
Of that which is our very own indeed,
  Be the perfected fruitage of all time?
  Shall not our noblest thinking be the prime,
Our noblest doing the surpassing deed
Of all the best that men have thought and done?
  Perish the foolish mood that wills it so
  That we may boast ourselves; nay, but we owe
No less than this to all beneath the sun.
To all who have been, are, and yet shall be,
  It is our debt, more precious for its size.
  God pity those of us who do not rise
To make our country freest of the free,
The place of all who seek the common bliss,
  The pride of all who truth and justice praise.
  Perish the thought that in the coming days
Our dear America means less than this.

—ROBERT WHITAKER

The New Soviet Constitution

DAVID JOBMAN

What is the motivating dynamic force and impelling ideology behind the new Russian Constitution which was adopted unanimously, after long and popular discussion, at a special convention on December 5, 1936, in Moscow? This Constitutional Convention included 2,016 accredited deputies with voting power, characteristically representing the entire population of the Soviet Union; composed at present of eleven Union Republics and their constituent twenty-two Autonomous Republics (including the Volga-German), and nine Autonomous Provinces (including the Jewish). Specifically and emphatically, this assembly well reflected the agricultural, industrial, and cultural forces of the New Russia pushing itself to the forefront of the family of nations. Parenthetically, of historical and psychological significance, it is well to note the fact that the 2,016 delegates, who were privileged to represent the nation on the solemn occasion, represented—on the basis of vocational pursuits—a cross-section of the creative socially conscious and dynamically conscientious forces of the land, namely—Workers, 19 per cent; Peasants, 14 per cent; Army Delegates, 7 per cent; Village and District Executives, 16 per cent; Territorial, Province and Republic delegates, 18 per cent; Party and Trade Union Workers, 16 per cent; Factory Directors, 5 per cent, and Representatives of the Arts and Sciences the remainder of 5 per cent; this makes a total of 100 per cent, speaking in the name and for the interests of the nation's "cadres" of actual creators of social wealth.

Of great significance is also the fact that we find, for the first time in the history of nations, a large delegation of 419 women, representing all the economic and cultural activities embracing some 63 different professions, actively participating in the final ratification of a Federal Constitution affecting the fortunes of a modern State. In their turn, classified as to the nature of their vocations, this important woman-delegation represented 45 per cent agriculture; 30 per cent industry and transport, and 25 per cent varied executives in the manifold fields of social endeavor crowding the complex life of a modern commonwealth.

Only 289 deputies, out of a total of 2,016, could boast a higher education; while the rest became qualified in the university of practical experience, by trial, devotion, and personal sacrifice; assisted by a Government which undertakes to guarantee a social life where "each man—from a simple worker to the most prominent scientist—has grown in his own estimation, has recognized the significance and usefulness of his work for the people."

What is this new code that the first modern Socialist State has adopted? What are its tenets and course for further social action?

To preclude misunderstanding and at the very outset, Article 1 of the basic code informs the world that the Union of Socialist Soviet Republics (USSR), replacing the oppressive old empire of the ill-fated Romanoffs, "is a state of workers and peasants"—a statement which fully vindicates the nature of the personnel as reported by the Credentials Commission.

Articles 2 and 3 assign all social and political power, local as well as national, into the hands of Councils of toilers' and consumers' deputies—"toilers," being a broad term for all citizens performing some socially useful work, by brain or muscle. Article 4 proclaims the abolition of the "exploitation of man by man" for individual enrichment. Articles 5-10 undertake to materialize a hitherto utopian and revolutionary principle of property-ownership. It is decreed and established that only three kinds of property shall be recognized:—(1) State Property, or "property of the whole people," which no person or group can monopolize for private exploitation. This public property takes in the land and all natural resources, all basic means of production, transport, and communication, including all municipal activities and housing. (2) Property of Coöperative Associations and Collective Farms: buildings, livestock, implements of production for common use, and products of collective labor. Land being the basic source of all wealth, Article 8 of the new Federal Code specifically grants its free use to the working collective "in perpetuity." (3) Personal Property is guaranteed and protected by law: (a) to the citizens engaged in agricultural pursuits, in the form of an individual household, some livestock, and a small plot of land within the collective for strictly personal use; (b) to the citizens of the city, in the form of personal savings and belongings employed for "use and comfort, as well as the right of inheritance of personal property."

A pivotal point of social strength and structure is enunciated in Articles 10 and 12, which declare that since the prime function of all national economy is to bring about greater security to all and to guarantee "a steady rise in the material and cultural level of the toilers," work becomes "an obligation and a matter of honor for each citizen capable of working, according to the principle: 'He who does not work shall not eat.'" For "In the USSR," says Article 12, "the principle of Socialism is being realized: 'From each according to his ability, to each according to his work.'"

In its present state, the Soviet Union is composed of eleven Union Republics bound into one federation, each possessing equal legal rights and authority; where "the right freely to secede from the USSR is reserved to each Union republic," and whose respective territories "may not be changed without their consent" (Article 17). The country's electoral system is designed to attract and to hold the active interest of the entire population in civic affairs. Deputies to all administrative organs (Soviets), from the Supreme Council meeting in the Capital to the remotest village government, "are elected by the electors on the basis of universal, equal and direct suffrage by secret ballot" (Article 134). All citizens over the age of 18, male and female, are encouraged to participate in the social and political activities of their communities and State "irrespective of race and nationality, religion, educational qualifications, social origin, property status or past activities (Article 135). Members in active service of the military forces of the land elect and are being legally elected to the various Legislatures "on equal terms with all citizens." Candidates are chosen by the various social organizations, such as trade unions, coöperatives, cultural and youth societies. Elected representatives are always

under the critical surveillance of their respective constituents at home, subject to immediate recall "upon decision of a majority" of their electors (Article 142). Apparently the framers of the new code of the first Workers' State have added this clause to combat unscrupulously self-centered rugged individualists, should they make their appearance. Careerists and selfish politicians, with personal axes to grind, cannot thrive in the light of a critical and controlling public vigilance. In the words and manner of their present leadership, every Deputy of public trust must be able to stand up and meet his electors in public and give account as to whether he or she justifies the position of trust in a manner to be appreciated by a public-spirited and intelligent constituency. Has he, the deputy, exerted himself in the true interests of the masses and general public welfare? Has he been fighting bureaucracy? Has he built better schooling and living as well as working facilities? Has he tried, in his official position of trust and authority, to make work more effective and life more abundant and cultural, sacrificing his personal comfort when necessary for the good of the cause and his fellow men? Rather a severe test for the average old-time politician of local and world diplomacy, who, in disdain of the very suggestion of social planning for common welfare and individual responsibility, naturally distrusts the ways of democratic control.

Highest legislative authority of the State is vested in a Congress (Supreme Council) elected for a period of four years and consisting of two chambers possessing equal rights and power, to be known as the Council of the Union and Council of Nationalities, respectively. This answers the peculiar natural and ethnical groupings of the vast country, which has established itself on the basis of complete national cultural autonomy for all its multi-peopled population. Representation in the Council of the Union is on the basis of one deputy for each 300,000 of the population. Deputies for the Council of Nationalities are to be chosen—25 from each Union Republic, 11 from each Autonomous Republic, 5 from each Autonomous Province, and one from each national region. Bills may be initiated in either house, and become laws after "a simple majority vote in each" is obtained. Sessions are to be convened twice a year. Upon request of one of the Union Republics, special sessions may be called. A joint session of the chambers elects a Presidium, to be strictly accountable to the Supreme Council "for all its activities." This Presidium combines the modern offices or functions of Chief Executive and Judiciary by convening the Supreme Council, interpreting existing laws, issuing emergency decrees, conducting "referendum on its own initiative or on the demand of one of the Union Republics." It also appoints and controls the activities of Departmental Executives (Commissars); these appointments are subject to confirmation by the Supreme Council, or Federal Legislature. The Presidium also exercises the right to grant pardons; appoints the supreme military command of the armed forces of the land; ratifies treaties, and appoints ambassadors. Since all action taken by the Presidium must be within the frame of existing law, with each member held personally responsible to both chambers for his moves, Article 51 of the Constitution grants members of the Presidium the right to appoint investigating commissions on any subject of public interest, to be prepared for public accounting whenever called upon by either chamber. Thus a powerful check is intended against all "bureaucratic centralism" that is apt to creep in where authority is exercised. In line with this version of Workers' ethics, the spirit of public service must supersede fanaticism and dogmatic authority; and that spirit of service and realism is granted the full right to assert itself by the constitutional guaranty which enables and actually invites the public questioning of officials in authority on every move they might make.

The Federal Legislature (Supreme Council), in joint session, also elects a Cabinet (Council of Peoples Commissars), which becomes the highest Administrative Organ of the land, strictly responsible for their actions before the Legislature. Guided by the laws of the country, these Cabinet members are vested with the broad all-important duties "on matters of economy, culture and defense." Among the leading members of this Administrative Council are the Chairman of the State Planning Commission, the Chairman of the Committee on Arts, and the Chairman of the Committee for Higher Education. To forestall bureaucratic tendencies in the future from taking root in the center of such high authority, Article 71 of the Federal Constitution makes it mandatory upon every Cabinet member (Commissar) "to give an oral or written reply in the respective chamber within a period of not more than three days" to any query a deputy may wish to address to his colleagues, with the aim of enlightening himself or his constituents at home. Commissars or Chief Executives must limit their activities "on the basis and in fulfillment of existing laws." The office of a Union Republic Commissariat deals with problems of industry, agriculture, finance, justice, health, education, and social welfare. Like the independent states of the American Union, Article 92 of the Soviet code orders that "each autonomous republic has its own constitution which takes into account the specific features of the autonomous republic."

Chapter VIII of the 1936 Constitution assigns all local state authority to the local boards of Aldermen, or Councils of workers' and farmers' deputies (Soviets), elected for a period of two years. These local assemblies are charged with "the maintenance of state power, observance of the laws and the protection of the rights of citizens; direct local economic and cultural development and draw up the local budget." Local government is centered in the Executive Committee elected directly by the local Councils and, to insure full individual responsibility, "are directly accountable both to the Soviet of toilers' deputies which elected them and the executive organ of the higher Soviet of toilers' deputies" (Article 101).

In Sovietland, the administration of justice is supervised in a corrective spirit as opposed to the punitive, by a net of courts ranging from the Supreme Court, whose members are elected for a period of five years by their respective legislative bodies (Supreme Councils), to the independent local People's Courts, whose members are chosen "by secret ballot for a period of three years by the citizens of the district; on the basis of universal direct and equal suffrage" (Article 109). Each person is guaranteed the right of defense. With rare exceptions, all cases must be tried in open court, with the presence of people's associate justices on the bench. The reason most likely to be correct for the frequency of the election of judges must be sought in the apparent desire on the part of the founders and author of the Constitution to bring the

justices closer to the life and interests of the people, to hold them more accountable in the eyes of an intelligently asserting public opinion; perhaps, to prevent the courts from becoming an aloof center of bureaucratic power, divorced from the true aspirations and legitimate interests of the wider strata of the citizens of the land. The reader and student must remember that, theoretically at least, in the land of the Soviets, universal public welfare must always precede and supersede all other technical or biased tradition. There, it is the human element and the rights of a real majority that are held to the fore; and for the welfare of that human element and these human rights laws are made and re-made.

The most striking feature in the new Constitution is Chapter X, dealing with the basic rights and obligations of citizens and emphasizing the duties of Government. The chronicler of tomorrow, without reservations, will have to grant that the mere inclusion of articles 118, 119, 120 and 121 in the basic framework of the final draft forms a most conspicuous landmark of vital historical significance in the history of the evolution of constitutional law.

Up to the adoption of the 1936 Constitution by the Soviet Union, the foremost democracies have had it decreed in their basic laws that all men are created equal with certain inalienable rights, irrespective of race, creed, or national origin. These rights entitle mankind to a free and unhampered pursuit of life, work, and a fair portion of human happiness, in peace and security. But in practice, due to an unfair monopoly of natural resources and opportunity limited in the hands of an insignificant number, the icebergs of greed, social maladjustment, traditional caste superiority and local prejudice, nursed from childhood by illy-conceived and unsocially biased training—all these unjust and unethical realities have made the theoretical grant of human rights to mankind a mere farce and a dead letter. All one has to do is simply to witness the unpleasant discontent, civil strife, innumerable patchwork attempts to heal incurable cancers, and the truth is apparent—there is a woeful neglect of human rights in face of theoretical profession. Riotous wealth we find always surrounded by unlimited squalor and sorrow. Now, with the arrival of the Soviet 1936 Constitution upon the political scene, the salient phenomenon is revealed where we find that a modern powerful State not only grants the frequently repeated but religiously neglected inalienable rights of men, but, what is more significant, actually undertakes to use its authority and all its vast economic and cultural resources to make this democratically desirable grant of human rights an everyday reality in the lives of the entire population and not of a favored minority.

How does the first Socialist State proceed in "administering the economy and guiding the culture of the country," trying to translate an incredibly idealistic utopian theory into a material practice, doing—under a given set of circumstances—full justice to nobler universal aspiration?

Article 118 of the final text decrees in simple style and lucid language that all "citizens of the USSR have the right to work, that is, the right to receive guaranteed work with payment for their labor in accordance with its quality and quantity, [and this] right to work is insured by the Socialist organization of national economy, the steady growth of the productive forces of Soviet society, the elimination of the possibility of economic crises, and the abolition of unemployment." There is neither apologetic day-dreaming nor a protagonist's panegyric propaganda or guess-work here. A program is drawn and a practical approach is given for actual immediate use in the materialization of a desirable goal. But wherein is there to be the difference between man and beast, even if he is offered the millennium of continuous employment? In line with Socialist theory and standards, human beings are not to be mere toiling robots; nor is civilization to be merely a perfection of machines, solely for the enrichment of the privileged few. To meet this situation, the declaration of man's right to work and the social guaranty to this right are followed up by Article 119, which states that "citizens of the USSR have also the right to rest"; and the Federal authorities undertake to materialize this right "by the reduction of the working day to seven hours for the overwhelming majority of the workers, [by the] establishment of annual vacations with pay for workers and employes, and provision of a wide network of sanatoriums, rest homes and clubs for the accommodation of the toilers." Quite a novel yet apparently rational and workable procedure to solve some of the difficulties of a most pressing dilemma assaulting modern society; and quite an unconventional function assigned to government. Yet to the English-speaking student, and especially to Americans, this concern for universal welfare is a doctrine quite familiar through the immortal tradition of the Gettysburg address, where Lincoln stressed, at a most solemn occasion, the principle "of freedom—and that government of the people, by the people, for the people shall not perish from the earth."

Having made the right to work and the right to rest an immediate concern of State authority, Article 120 of the new code legislates that "citizens of the USSR have the right to material security in old age as well as in the event of sickness and loss of capacity to work." And, immediately, the second paragraph of the same Article shows the practical course as to how to make this desirable right a universally applicable and workable rule "by the wide development of social insurance of workers and employes at the expense of the state, free medical aid for toilers, and the provision of a wide network of health resorts for the use of the toilers." Again, there is no guess-work here; no ifs or shady loopholes. The practicability of a problem is made obvious by an immediate provision which actually offers the means and ways for the practical solution. The socially created wealth, instead of going into the hands of a privileged minority to be squandered at ease and at will, is being reverted to the very creators of national wealth for the good of all.

With the physical requirements of mankind presumably satisfied by the application of the preceding three Articles, on the basis of intelligent, humanitarian social planning, (guided by a conscientious Government, steering its trust away fearlessly from the vicious circle and uncertainties of the practices of the jungle and man-rob-man philosophy), Article 121 of the basic law of the Soviets further decrees that the "citizens of the USSR have the right to education; [pointing out that] this right is insured by universal, compulsory elementary education, education free of charge—including higher education—by the system of state stipends for the overwhelming majority of students in higher schools, by instruction in schools in the native language, and by the organization of free voca-

tional, technical and agronomic education for the toilers in the factories, state farms, machine and tractor stations and collective farms."

Thus by guaranteeing man's right to work, to rest, to security in old age and illness, and to education, at the same time pointing the way to intelligent and responsible social planning in order to make these rights living realities in the life of the average man and woman, the framers of the Soviet 1936 Constitution have placed themselves in the very vanguard of social progressive thought and practice; manifesting at the same time a new and humanized sense of social responsibility in the efforts of a centralized State. To the ancient and woefully neglected biblical query, "Am I my brother's keeper?" the present leaders of Soviet-land answer, "YES!" and they prove their conviction and faith by deed; making it definite, decisive, workable, and, with the growth of opportunities, more and more equitably democratic.

In this era of "violent divisive passions of nationalistic pride, vanity and hatred," resulting in ugly waves of persecution of defenseless national minorities, the inclusion of Article 123 in its final text must be scored as a point of high merit on the part of the framers of the new code. This Article protects the legitimate human rights of all nationalities in this plain language: "The equality of the rights of citizens of the USSR, irrespective of their nationality and race, in all fields of economic, state, cultural, social and political life, is an irrevocable law." And to make this "irrevocable law" an actuality, the second paragraph of Article 123 decrees in unmistakable terms that "any direct or indirect restriction of their rights, or conversely the establishment of direct or indirect privileges for citizens on account of the race and nationality to which they belong, as well as any propagation of social or national exceptionalism or hatred and contempt, is punishable by law." To the American ear, this resounds the rather familiar and painfully unsuccessful efforts of our own anti-lynching crusade in Congress, reminding us of the ugly anti-social ramifications behind the Mason-Dixon line, affecting the lives and honor of some of our own eleven or twelve million citizens. Those founders and leaders at the Soviet helm seem to labor under the honest conviction that certain things which we thought impossible can be done, provided we harness our collective intelligent goodwill to serve our better human instincts for the common good. They emphasize prevention and foresight in the social habits of man as well as in the pathological state of a diseased and physically maladjusted organism. The Article of complete autonomy, protecting the rights of national and racial groups, is sound evidence of material weight that the Slavs have taken to heart the experiences of mankind, the sad array of oft-repeated St. Bartholomew pogroms of innocents, and persecutions, and have learned to emphasize that most urgent point stressed so valiantly by Aldous Huxley in his timely and excellently written pamphlet, *The Case for Constructive Peace,* namely: "That if you treat other people badly they will answer—either by treating you badly at once, or, if the power to return evil for evil is lacking, by waiting in fear, anger and hatred for an opportunity to treat you badly later on . . . [for] hate breeds hate, and violence, violence." So, instead of treating badly its many national groups, the Soviet regime has chosen deliberately to meet the modern needs of all living humanity in the spirit of coöperative helpfulness; which aids every one to overcome his peculiar shortcomings, while all are the ultimate gainers thereof. It is rather inconceivable to have national and racial prejudice and animosity take root where theory and practice are so closely blended on the base of an uncompromising prohibition of any exploitation of man by man. It is most urgent indeed to recall at this point that, throughout human history, national and racial persecution of hapless minorities or terribly enslaved majorities is a major card in the game of plunder in the hands of all social pirates, who betray their public professions and know nothing of moral decency; or, as the courageous son of a modern prophet stamps the situation, racial persecution is just "a trick of political and economic enslavement . . . a trick of predatory and imperialist interests in order to divide and oppress."

Proceeding with our study of this allegedly modern Utopia, we find that "women in the USSR are accorded equal rights with men in all fields of economic, state, cultural, social and political life" (Article 122). Here we discover a great modern force which challenges the Fascist thesis that a woman's function is to be a kitchen-serf; herself a "broodmare," and her body turned into a machine to produce and provide a surplus of cannon-fodder for wild schemers of atrocious schemes of imperialism.

There has been much loose talk about persecution on religious ground in the land of the Soviets. At the height of battle and crisis many a passion goes beyond the control of reason, law, and order. But now there can be no more justification for irresponsible opinion and action when we find that Article 124 of the ratified Federal Constitution clearly legislates that in order "to insure to citizens freedom of conscience, the church in the USSR is separated from the state and the school from the church. Freedom to perform religious rites and freedom of anti-religious propaganda are recognized for all citizens." The well-accepted democratic solution of a debatable dilemma—*laissez faire*—let alone—is thus made and accepted as the basic rule of conduct.

Offering a wider field for popular initiative and more democratic procedure, Article 126 of the code decrees that "citizens of the USSR are insured the right of combining in public organizations: trade unions, coöperative associations, youth organizations, sport and defense organizations, cultural, technical and scientific societies." The inviolability of one's person, home, and mail is specifically protected by law in Articles 127 and 128. An interesting feature, as a vital democratic need in these days of renewed political persecution, is echoed when we read in the new Soviet Constitution that "the USSR grants the right of asylum to foreign citizens persecuted for defending the interests of toilers or for their scientific activity or for their struggle for national liberation" (Article 129). Representing as it does so many nationalities, subjects of old tsarist oppressions (a land at one time aptly considered as "the prison of the peoples"), the Soviet Union knows whereof it speaks when it legislates on the subject of asylum for those who, in a constructive spirit of co-workmanship, have been obliged to enter its home. To meet the dangers of assault from aspiring despotisms of a hostile world, universal military training is proclaimed "an honorable obligation." Those violating public property and trust are branded and prosecuted as "enemies of the people," the gravest

offense in Sovietland. Finally, realizing that progressive life is a continuous procession of experiences implying change, adoption, and adaptation; and that disorder, gangrene, and death must set in where too much stationary and antiquated rigidity is maintained, the makers of the 1936 Constitution close their code with Article 146, which invites further improvement and alteration: Amendments to become law "by decision of the Supreme Council [Congress] of the USSR, when adopted by a majority of not less than two-thirds of the votes in each of its chambers."

On the basis of the first twenty-year record of activities on the economic, social and cultural fronts of the vast field of action, an historically correct judgment seems to indicate that the 1936 Federal Constitution of the Soviet Union, like the Constitution of the United States of America adopted one hundred and fifty years ago in the year 1787, is a living document copiously mirroring the brimful channels of a dynamically progressive social organism, which is led by a most aggressively conscientious leadership in the possession of the machinery of government. One need not be a dogmatic enthusiast or a biased opponent to concede reality. The ultimate goal toward a classless and creatively happy society may be beset with material and psychological obstacles of enormous weight; but those guiding the destinies of the great nation do not seem to be deterred by hardships. They have faith in humanity. They lay their trust in the better instincts of *homo sapiens.* They believe that a free and rational education, working in an environment which is based on social and economic justice, affording full opportunity to all, can make even the cherished dreams of the visionaries come true. They know that gradually, with a national economy fully established on a sound foundation and with defensive measures to guarantee security, there will evolve a true Democracy, of which the 1936 Constitution is the forerunner.

The twentieth century is confronted with the reality of a nation actually determined to reconstruct its life on the bases of a living literature, free creative arts, and a liberated science serving the real interests of its toiling masses. Its people are no longer haunted by the spectres of unemployment, sickness, or old age. Education and medical attention are free to all. There is a socially useful job awaiting every able citizen willing to do his honest day's work. Youth looks forward to a creative life in action and security, beholding the new code as the symbol of a life attained, and nobler things yet to come. No wonder, then, that we find no less an "unbiased" observer than the present American Ambassador to the Soviet Union, Mr. Joseph E. Davies, declaring upon his return to the States that "Russia has been a fascinating experience. It is a tremendous laboratory in which one of the greatest experiments in government is being projected. They are doing extraordinary things." And the ambassador is convinced from personal observation that "the leaders of their government are an exceptionally able, earnest, hard-working and strong group of men and women." (New York *Times,* April 6, 1937.) These men and women at the helm are stern realists, and in a sense fanatically religious, by actually trying to practice what they preach! They are not afraid of self-criticism and do not hesitate to admit and correct errors. Writing in the year 1909, the founder of the Bolshevik Party himself cautions his followers in this bold manner: "A constitution is fictitious if there is discrepancy between law and reality; it is not fictitious if they correspond." (*Lenin's Works,* Vol. 14, p. 18, Russian Edition.)

Professor Goodwin Watson, of Teachers College, Columbia University, recently returned from Sovietland where he spent a brief period in the year 1936. With opportunities for intimate observation and study he shares his experiences, free from the fear of censorship, offering "extraordinary evidence of the modifiability of human nature through the surrounding culture." Among other things of actual achievement, Professor Watson records having visited "the finest museum of child-and-mother-welfare in the world"; he found a country overseas where "for every one there is some kind of work, at good wages, with opportunity to enjoy life, to study further and to rise higher"; a land where, in spite of many hardships and natural limitations, in the past [1936] summer alone, "there were 4,000 new schools under construction at a cost of a billion rubles"; where "fifteen million children are said to have gone to camp in the Soviet Union in this past summer." He saw that the people have five Sundays each month, free with pay, for recreation, resting on each sixth day. He found that "children who have bow-legs or vestiges of rachitis are hard to find . . . [the children met under different environments all impressed the inquisitive foreigner] with health, vigor, self-confidence, [and] clear-eyed friendliness." Coming from an American educator of high standing, a member of the teaching staff of one of the world's outstanding educational institutions, headed by Dr. Nicholas Murray Butler, (the 1912 Republican candidate for Vice-President of the United States), these statements of fact merit respect and serious reflection before we rush off with our own preconceived notion, harboring prejudice and ill-will.

There must be something very hopeful and cheering in the domestic doings of the once bark-shod, illiterate, semi-starved and prejudiced Russian, if he could gain the interests and sympathies of the saintly Hindu poet, Rabindranath Tagore; the great French humanitarian, philosopher and author, Romain Rolland; the scholarly devotion of the distinguished British sociologists, Sidney and Beatrice Webb; the good opinion and wishes of Mr. Martin Anderson-Nexo, the great Danish writer, who, after attending in person a convention of the Writers Union in Moscow, has learned "that the Soviet writers are doing their work well—that they work in freedom and security under favorable conditions unequaled elsewhere in the world"; and that "the attic and hunger are no muse to the Soviet writer, who lives in a land where literature is held in high respect, and facilities for publication are unrivaled." (*Moscow News,* issue of March 10, 1937.) Lion Feuchtwanger, the noted German novelist, in a communication to the same paper, under date of February 17, 1937, makes this confession, after a personal visit: "He who studies your country and your people without prejudice must rejoice happily in everything that has been achieved during these 20 years. Human reason has won a splendid victory here. Whoever has seen the power and the wisdom with which you and your people defend and broaden your achievements, is, on leaving the Soviet Union, filled with the happy confidence that there is no power in the world capable of destroying Socialism, which has been realized in your country." This writer sees in the land of the Soviets "the triumph of reason."

Sidney Webb (Baron Passfield), contributing a

special review on the subject in the March, 1937, issue of *Soviet Russia Today* (New York), makes this pertinent comment: "But, of course, constitutions are judged, in the long run, not by what they say, but according to how they work—or are worked. . . . What we can say at present is that they at least mark a distinct stage in social progress; and that they point in what seems to most Britons and Americans the right direction."

All told, vaguely but ever more perceptibly, out of the pains of struggle and feverish reconstruction and trial, the indications point to a possibility that in the Soviet Union there is a New Deal in the pangs of birth. There is aspiration; and that aspiration seems to breathe a touch of that nobility of life and purpose which has made Andreae's *Christianapolis,* More's *Utopia,* Bellamy's *Looking Backward,* and William Morris's *News from Nowhere* immortal treasures in the literary sanctuaries of our woefully misdirected yet persistently striving humanity. This may explain why some of the world's greatest minds and hearts are in the ranks of the friends of the New Russia, which has presented to the world a most remarkable code of social ethics in the form of its New Constitution.

Constructive criticism and a sympathetic understanding of an important world situation are a meritorious avocation of real service to our fellow men. A scornful, naive distortion of fact; an adroit dramatization, and violent mud-slinging only betray prejudice and ill-will. We may, we ought to, and we can admit a material truth, and yet be free to remain true to our own character and heritage, without falling prey to foreign importations.

Patriotism and Religion

LOUIS L. MANN

Years ago a friend of mine sat in the home of the great Tolstoy. A peasant entered and brought him his daily mail. Tolstoy eagerly freed a newspaper from its wrapper and then chuckled as his eye fell upon the *Daily Standard,* which was printed in England. He was sadly amused to see large blotches of black ink smeared almost like a checker-board over portions of an article that he had written. The Old Russia would not permit her citizens to read what he had written on "Christianity and Patriotism." In it he claimed that they were incompatible, that religion precluded patriotism, and that patriotism precluded religion. Tolstoy mused rather whimsically and said, "I believe that if I signed my name under the Ten Commandments, they, too, would be censored."

If you accept Tolstoy's definition of patriotism his logic is inexorable and his argument is irrefutable. Patriotism is usually defined as a love for one's country expressed in a willingness to die for one's country. Religion is a way of life, a faith in God, in man, and in duty. Religion teaches humanity first. "Patriotism," said Tolstoy "teaches one's country first." Religion teaches, "Thou shalt not kill"; patriotism teaches mass murder. Religion teaches love; patriotism hatred. Religion speaks in terms of confidence; patriotism in terms of suspicion. Religion speaks in terms of right; patriotism in terms of might. Religion teaches one to be just even to one's enemies; patriotism to despise one's enemies. Patriotism, as Tolstoy conceived it, was not very different from that defined by Dr. Johnson, who said it was "a last refuge of a scoundrel." Tolstoy actually believed that patriotism made people stupid, that it served as a renunciation of intellectuality and morality, since every declaration of a war was an abrogation of morality.

What shall we say on this theme? From the time that the prophet Jeremiah urged his exiled brethren to pray for the welfare of the country in which they temporarily sojourned to the famous saying of Rabbi Hanninah in the Talmud—to say nothing of the devotion and loyalty of Jews even to countries that persecuted them—Judaism has always taught patriotism as a virtue. Tolstoy and Dr. Johnston notwithstanding, patriotism is one of the loftiest sentiments of mankind. Naturally there is patriotism and patriotism. There is the patriotism that is true and there is the patriotism that is false.

1. There are types of patriotism that are incompatible with religion. One of them is *chauvinism,* which is a final and a complete vice. It is a compound of false pride, ignorance, and boastfulness. It exaggerates one's own virtues and emphasizes the faults of others. It is as blind to one's own faults as it is to the virtue of others. Chauvinism causes suspicion, distrust, and hatred. It is divisive and sets up barriers that are artificial and arbitrary, and erects fences that become spite-fences. As the primary function of religion is to unify mankind, chauvinism and religion are incompatible.

2. The second misconception of patriotism may be found in *jingoism,* upon which the yellow press of our country feeds. Jingoism carries a chip on its shoulder and dares any and all to knock it off. It records history in terms of victorious battles and minimizes the thousand and one aspirations and the achievements of mankind in peace. It places country above humanity and self-interest above the common good. Naturally, religion and jingoism are mutually exclusive.

3. The third misconception of patriotism might be found in *Decaturism;* "My country right or wrong." Decatur was well prepared to serve his country but he not only believed in "My country right or wrong," but he also believed in "Stephen Decatur right or wrong." He settled arguments by duels and overcame his opponents four times; the fifth time, however, he also believed that he was *"dead right"* but *after* the duel he was just as dead as if he had been dead wrong. Carl Schurz correctly—and, I might add, religiously—modified the unethical sentiment of Decatur when he said, "My country when right to be kept right, when wrong to be set right." Decaturism and religion cannot abide in the same heart.

4. When patriotism becomes *imperialistic,* when small nations are used as so many pawns on the chessboard, and the question of right is overlooked and justice is ignored, and a moratorium is placed on morality, and might becomes right, then such patriotism, namely, *imperialism,* and religion are mutually exclusive. The great emancipator wisely said "Let us have faith that right makes right."

Our generation has been wrongly "conditioned" on the subject of patriotism. Many of you will doubtless remember the association tests in psychology that have been given in many schools. One hundred words are pronounced and the children are asked to write immediately what each word suggests. For example, when the word "fire" is pronounced, the child writes "hot," and when the word "ice" is used, the child writes "cold." In more than ninety per cent of the experiments, when the word "patriotism" was enunciated the children wrote—"war." As if peace did not have her victories no less renowned than war! As if peace did not have need of patriotism as demanding and exacting as that of war! As if Pasteur was not as great a patriot as Joan of Arc, as if William Lloyd Garrison was not as great a patriot as Washington, as if Mazzini was not as great a patriot as Garibaldi, as if the citizen who serves his government locally or nationally, honestly and conscientiously, is not as patriotic as a man who serves in the army or navy! As if those great souls who struggle to abolish poverty, to alleviate disease, to reduce crime, to eliminate ignorance, to free schools from the control of politics, who fight against graft and corruption and dishonesty in government, to say nothing of the "microbe hunters" and the "death fighters," and the Red Cross and the Salvation Army who struggle to redeem the victims of misfortune from their lowly estate, are not patriotic!

5. Another wrong conception of patriotism may be found in *nationalism,* conceived not as a *means,* but as an *end.* Internationalism is greatly misunderstood. Some deluded souls associate it with Sovietism. We should not surrender nationhood any more than an individual should surrender his personality. As a matter of fact, nationhood is group identity and group personality. But, to use the penetrating phrase of the Psalmist, "Nations should remember that they are but men." Time was when individual fought against individual in duel, and tribe engaged against tribe in conflict, and clan opposed clan in battle, and city struggled against city in combat, and state attempted to overcome state by force, and nation attempted to crush nation by war. We have outlawed dueling, we have eliminated tribal feuds, and done away with struggles between clan, city, and state, but nations still believe that the way of patriotism is the way of international combat.

During the World War our boys who fought were not primarily Kentuckians, or New Yorkers, or Pennsylvanians, or Texans, but felt united as Americans for a common cause. If we were attacked by Mars for an interplanetary war we would doubtless forget that we were Americans, or Frenchmen, or Germans, or Englishmen, or Czechoslovakians, but we would be united as one planet against another for interplanetary warfare. If we could unite for purposes of war and cannot unite for purposes of peace, the larger and more inclusive concept of patriotism is woefully lacking. All war is civil war—war of man against his brother man.

It was Professor James who coined the famous phrase, "A *moral equivalent* of war." He still believed that human beings had a pugnacious instinct and that possibly it was necessary to give vent to it. We have made some progress in psychology since Professor James, and ninety-seven per cent of the psychologists—the greatest of them in fact—admit that there is no such thing as a pugnacious instinct. Professor James believed that youth should be conscripted to dig tunnels, to build sewers, to construct roads, to plow the fields, and to work the mines, to give direction for the pugnacious instinct and an outlet for superfluous energy. If there were a pugnacious instinct and fight we must, then we should join in fighting our common enemies—poverty, disease, ignorance, slums, child labor, unemployment, corruption, old age, insecurity, lawlessness, and international anarchy. That would retain the competitive element and re-direct it to constructive rather than to destructive purposes. That would be patriotism—as great as the patriotism of shot and shell, of mud and blood.

Patriotism must not be defined as a love for one's country in terms of a willingness to die for one's country. It must be redefined as a love for one's country expressed in a willingness to live for one's country—to live for one's countrymen—so that one's own country, one's national love, might contribute to all mankind that for which one's own country is best fitted mentally, morally, physically, and spiritually, to the interests of all men, everywhere. Such a patriotism would not be incompatible with religion. Such patriotism would be religion itself.

The Book or the Banner?

ELAINE GOODALE EASTMAN

The case of three public school children in Belchertown, Massachusetts, who were expelled last year for refusal to salute the flag "at least once a week," has recently been nolle prossed in superior court by the district attorney of Hampshire County. In district court, a year ago, these children were sentenced to a reform school for technical delinquency, and pending their appeal the state supreme court has declared the 1935 law constitutional. The father, Ignace Opielouski, a Polish farmer, had his sentence confirmed, and is required to pay a fine of forty dollars which he, too, appealed and may appeal again, this time to the supreme court of the state. The two girls are now attending an approved private school and the boy has his working papers. The outcome of this much publicized affair would seem to be at least a partial victory for the minor sect known as "Jehovah's Witnesses," to which the family belongs, and which forbids such a salute as an act of worship within the meaning of the Second Commandment. Many liberals and clergymen in Massachusetts and elsewhere have publicly supported their stand, while on the other hand local activities of the sect have met with popular disfavor and police obstruction.

Does such a law, we may ask, actually violate the American guaranty of freedom to worship God according to the dictates of the individual conscience?

Even religious liberty, one finds, is necessarily limited by a regard for the general welfare or national security. It may be limited either by requiring the performance of an act disallowed by one's religion, or by prohibiting an act which a given religious faith

sanctions or enjoins. Both types of compulsion have been exercised in this country within comparatively recent years. Mormons were forbidden to practice polygamy, and conscientious objectors were compelled to fight. In the words of the Supreme Court, "practices inconsistent with the peace and safety of the State shall not be justified."

Among our American Indians, it appears that only such rites and ceremonies have been banned as were believed to threaten peaceful relations—as the "Ghost Dance" of 1890—or to offend public decency. Indians are still permitted to live openly with more than one wife at a time. They may and do persist in treating their helpless sick by magic arts, declining qualified medical aid, even where readily available at no cost. One finds no such privileges open to other American citizens.

Many argue that the salute to the flag is merely a conventional gesture of respect, and from this point of view the wisdom of making it legally enforceable may well be questioned. Quakers, for example, do not remove their hats and are excused from taking an oath. The routine repetition of a symbolical gesture seems likely, in any case, to dull the very sentiment which it is supposed to inculcate. Why not, therefore, repeal the protested act and leave the matter of a patriotic school exercise where it was before, within the discretion of the local teacher or superintendent? Or why not provide that any child may be excused on the parent's written request? It may be assumed, perhaps, that few would care to make themselves conspicuous by claiming exemption.

However, the heat of controversy on this subject indicates that the question is not to be so easily settled. The importance attached to the rite, and its arbitrary enforcement, has aroused a widespread suspicion in some minds of the motives behind a concerted drive in a number of states for teachers' oath and flag salute laws. Some call these fundamentalist dissenters ignorant fanatics, who should be rebuked and not encouraged. It is pointed out that interpretations of the Bible are many and subject to error, and that there is no necessary conflict between allegiance to country and obedience to God. Thoughtful persons, on the other hand, have been willing to concede that a solemn vow of loyalty systematically repeated at regular intervals does in fact partake of the symbolical character of an act of homage or of worship.

A few ardent patriots insist that any aliens who cause their children to disobey a law of the land should be immediately deported. In the case under discussion, this would probably break up the family, since the senior Opielouski has never been naturalized, while his children are native born. To carry out the first sentence and place the well-behaved and innocent children in a reform school (where, incidentally, the flag salute is also required) would almost certainly shock public opinion and cause them to stand forth as martyrs, whether to secular rule or ecclesiastical tyranny.

Looking at the totalitarian states of Europe, which tend to place both the churches and the individual conscience in complete subjection, we may well hesitate to increase the prestige and power of our government in so personal a matter. We know that both communism and fascism are so passionately embraced by their followers as to take on much of the character of religions, if not to exclude all other religion. Moreover, we live in an era of world-wide militaristic preparation and aggressive nationalism, where the small boy who today is merely required to salute the national emblem may tomorrow be conscripted to fight for it!

In the minds of an overwhelming majority of Americans, one believes, the Stars and Stripes still stand for freedom, democracy, and peace. Yet what do they connote in time of war? and from the point of view of the state? Obviously, that the national safety and so-called "national honor" must and shall be first in the hearts and lives of its citizens! For the Christian pacifist, on the other hand, God's will as he himself interprets it takes precedence over all human autocracies.

The issue is not a trivial one. Regardless of the present number or status of open rebels, it may be said to present a potential and serious conflict between fundamental loyalties. What fealty does each one of us owe to the Right as we see it? What to the organized conscience of mankind, as embodied in Holy Scripture, or in the church to which we belong? What, and how much—in the event of a clash—to the community in which we live, organized primarily for material ends? The Banner—or the Book?

The State and Civil Liberties*

JOHN HAYNES HOLMES

I know of nothing more inspiring in American history than the flat refusal of the colonists in 1787 to adopt the Constitution of the new republic until they had received assurance that it would be amended by the attachment of a Bill of Rights, guaranteeing to the people religious liberty, freedom of speech and of the press, and the right of the people peacefully to assemble and petition the government for redress of grievances. These colonists had had experience of tyranny, and they knew that the one safeguard against tyranny was the enactment in the fundamental law of the land of provisions establishing forever these civil liberties. This safeguard was not absolute, for freedom may be lost by neglect, surrendered by indifference, or destroyed by madness. No constitution or charter of government can guarantee the continuance of any right beyond the intelligence of the people to value it, their vigilance to guard it, and their sacrifice to preserve it. But in so far as it is possible to establish anything in this impermanent world, the makers of this republic established civil liberties in America by identifying the government with freedom. All of which is of infinite comfort to the champions of civil liberties today, for it is not to be forgotten that it is these, and not their opponents, whatever the alleged percentage of the latter's patriotism, who have behind them the Constitu-

*An address delivered on "America's Town Meeting of the Air." By permission of the American Book Company, 88 Lexington Avenue, New York, publishers of complete pamphlet containing other addresses on this subject by Hilaire Belloc and Hendrick Van Loon, with forum questions and answers.—Price 10 cents.

tion, the founding fathers, and the government of these United States.

Let there be no confusion as to what is meant by civil liberties! In my description of the phrase, I am not content with general ideas such as fair play, and tolerance, and equality. I want specific interpretations —concrete applications of the ideal. Therefore do I commend to you the statement of Wendell Phillips who pled for "unshackled freedom for every man's life, no matter what his doctrine—the safety of free discussion, no matter how wide its range. The community which dares not protect its humblest and most hated member in the free utterances of his opinions, no matter how false or hateful," said Phillips, "is only a gang of slaves."

The concept of civil liberties is tested in the case not of those with whom you agree or mildly disagree, but of those only whom you hate or even fear. The men whose ideas you regard as fatal to everything that you hold precious—the anarchist who would do away with government, the communist who would precipitate a revolution in destruction or confiscation of property, the free-lovist who would dissolve the family and release all restrictions upon sex relations—will you give these liberty? That's the question!

Or more drastic still—for liberals, if not for conservatives—will you grant all rights and privileges of civil liberty to the bigot who, in ignorance, or prejudice, or hate, would use his liberty to injure other and perhaps weaker men? The anti-Semite who maligns the Jew, the anti-Catholic who defames the Vatican, the capitalist who would suppress radicals and deny platform and ballot to their use—will you grant these liberty, the right thus to rend society, and if possible to destroy the very liberty which you seek to preserve? There's your test! You are most truly faithful to your ideal of civil liberties when you are vindicating the rights of that one man who in all the world is most loathsome, detestable, and dangerous in your sight.

Inwrought in this test of civil liberties is the significance which sustains it. This significance is to be found in the fact that in society we are all men together. There is no reason, or revelation, or right, external to the soul of the single person. If rights are denied to any man, it must be in the name of prior or higher rights resident in other men. But where are such rights? Not in princes or prelates—we believe as little in the coronation of the one as in the ordination of the other. Not in society, or the institutions of society, which have long since been divested of all sanctity of divine origin or mystic power. The State—what is the State but a group of men who have by force, or persuasion, or due process of electoral law, clothed themselves in a little brief authority! The Church—what is it, but another group of men who have inherited from the past, as they will transmit to the future, an august tradition of the spirit which is as fallible as the individuals who cherish it! What right have these to deny liberty of thought or speech or even lay down restrictive conditions upon its exercise? Walt Whitman denounced "the never-ending audacity of elected persons." I would similarly denounce the never-ending pretension of ordained persons. Both wither to ashes before the dignity of the common man, dowered with the divine genius of his humanity. How dare we deny liberty to any man in the light of a history which teaches that it is from the rebel and not from the ruler, from the heretic and not from the hierarch, that there has come the progress of the world? To deny to any man anywhere the free fulfillment of his being, is to dam the stream of life and thus to turn this world into a desert.

Nothing amazes and indeed horrifies me more than the spectacle of an individual or a group, a party, church or class, denying or attempting to deny to others the full exercise of these civil liberties which in any swift turn of fortune's wheel may suddenly be denied to themselves as well. The war against the communists is a classic example at the moment. I am no communist. I should have to repudiate my religion to accept the dogmas of Marx and Lenin, but I belong to too many minority groups which are misunderstood, despised, and feared by great hosts of my fellow countrymen not to know that the freedom of the communist is the measure of my freedom, as my freedom may well be the measure of your freedom. A campaign which begins by repressing communists will end, if it be successful, with repressing socialists and progressives, farmers and laborers, Unitarians, Catholics and Jews. The fire, in other words, kindled to consume Moscow and its tyrannies would in due course devour Washington and its liberties. Which means that we are all in the same boat. Sink the boat to drown one, and straightway you drown all. Therefore, woe to any man who would repress his neighbor. For none of us is free unless all are free.

Are civil liberties in America in danger? They are! This is a time of chaotic change, and such change is not friendly to freedom. Peril springs from two sources. First, from those who would prevent change, and to this end would suppress others who are friendly to it. In the various patriotic societies and commercial groups which make a phobia of radicalism, we see this peril. Secondly, peril springs from those who would further change, and would remove from their path others who are hostile to it. In the impatience, arrogance, and lust of power increasingly manifest in Washington, we see again this peril.

The price of liberty, as of safety, is eternal vigilance. This price is sometimes high, but never too high. For liberty marks the furthest advance of civilized man today and is the condition of all further advance tomorrow. Liberty is at bottom life; and as we love life, we must preserve liberty.

The Field

(*Continued from page* 166)

that no country engaged in strife ever actually wins a war.

A long view of history gives us a perspective which reveals to us at least two facts: First, the heroism of the commonplace and the glory of the ordinary; and, secondly, we are beginning to see that every humble worker who toils or labors to make two blades grow where only one grew before is to be included in the list of those whose characters we should respect and whose memories we should revere.

Denim overalls have come to occupy a place as proud as khaki uniforms. Oily caps are as honorable as brass hats. Peaceful pursuits call

(*Continued on page* 180)

Correspondence

The New Indian Constitution

Editor of UNITY:

The new Constitution according to the Government of India Act of 1935, has been in force since the first of April, 1937. Long before April, the elections under the new Constitution had been held all over the country and great enthusiasm had prevailed. The results of the elections were eagerly anticipated and the declared results disclose that in six provinces there had been a definite Congress majority elected.

The Indian National Congress had, before the inauguration of the new Constitution, been from time to time considering the question of acceptance of office should the Congress attain a definite majority in the legislatures. It was, however, shelved till the results of the elections became known.

There are two definite bodies of opinion within the Congress, one favoring acceptance of office by the Congress and doing what good it can to the public within the limits of the Constitution; the other entirely opposing acceptance of office—its aim being to wreck the Constitution, as it is unworkable and unsatisfying to the minimum demands of the Indian public.

A via media between these two cleavages was devised by Mahatma Gandhi; he said that Congress Members could accept Ministerships in provinces where they had a clear majority and work the Constitution for the good of the country so far as it was possible, provided a gentlemanly assurance was given by the Governors to the affect that they would not interfere or exercise their privileges or special powers so long as the Ministry was working.

As everybody is doubtless aware, the new Constitution bristles with many safeguards, ostensibly to insure that the Governors interfere in cases where they believe the Ministers' action will be detrimental to the minority or other vested interests. Really, however, it is believed to be a valve to arrest the growth of national development and to promote the policy of "Divide and Rule," at the same time giving special privileges to vested interests.

The Congress has not accepted office as the Governors did not give the required assurance. The Governors, however, have thought fit to form interim ministries which obviously do not command the confidence of the public. Whether, under the new Constitution, they are entitled to appoint interim ministries is a point to be determined by expert legal opinion. The fact, however, remains that whether the interim ministry is legal or otherwise, it is opposed to public opinion.

Time will show that the new Constitution, especially without the assurances from the Governors, is merely an empty dream—the shadow and not the substance.

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The Field

(*Continued from page* 179)

for patient plodding fortitude that is as impressive as attacks and counter attacks across barbed wire and trenches. Saving lives and promoting safety have come to be objectives as desirable as taking lives and destroying property. We have come to see that men in mills are as worthy as men in military service. Today we hope we are again impressing ideals upon the plastic minds of youth and we would lead them to see that the high and noble objectives of life lie in the paths of peace and in the fields of service, rather than in strife and struggle.

Human progress and the best interests of civilization always have and always will enlist vast forces of men and women who spend their lives and sometimes forfeit their lives in service to their fellow men.

Reflect for a moment how numerous are these who help, and how long the list of those who serve. There are the mothers of men who go down into the valley of the shadow of death every time a newborn child comes into the world. There are the patient plodding fathers who leave home at dawn with dinner pails and return at dark with sweat-begrimed faces, giving their lives for the family, and their labor to some constructive cause. There are those who carry the destiny of human freight in their hands, pilots of the air, motormen and bus drivers, engineers, and all those connected with transportation. There are firemen, police officers, watchmen, and inspectors, protecting, saving, rescuing, whenever hazard or emergency arises. Physisians, nurses, social servants giving relief, assistance, and aid everywhere in every way the need appears. The list is long and could be made longer still were we to call the roll of those who put society in debt to them for what they offer and what they give.

Are not all these worthy of our highest respect and our most sincere remembrance? Can we afford to allow one of these to go to his or her grave unheralded, unhonored, unsung?

We must begin to raise a new standard, to adopt a new yard stick, set up a new goal for our appraisal of ourselves and our fellows. We must exalt in every manner and on every occasion, the worthiness of work, the sacredness of service, the heroism of daily effort to construct, conserve, protect, and promote human life and human welfare. We must direct the ambitions of our youth to new objectives. In poetry and preaching, in song and symbolism, in rewards and revenue, we must exalt the men who creatively advance civilization.

When we replace monuments to men of war with memorials to those who promote liberty, freedom, and the blessings of peace for themselves and their posterity, then we will begin to divert the ambitions and ideals of men from discord and strife toward constructive and harmonious fellowship and brotherly love.

Let brotherhood and love increase, let service and sacrifice increase, that we may recognize the beauty of fellowship, the worthfulness of coöperation and the loftiness of giving our time, efforts, and lives to the cause of progress, happiness, and high destiny of all our race; and that peace may maintain and men may live together in love.